

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7148**

**BILL NUMBER:** HB 1537

**NOTE PREPARED:** Jan 2, 2003

**BILL AMENDED:**

**SUBJECT:** Stopped school buses.

**FIRST AUTHOR:** Rep. Welch

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill specifies that the prohibition on passing a stopped school bus with an extended arm signal device does not apply to the operator of a vehicle that is on the side of a divided highway opposite the side that the bus is on. The bill also applies the prohibition on passing a stopped school bus with an extended arm signal device to situations when the bus is stopped at a location off the roadway.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Under current law, a person who operates a vehicle and who recklessly passes a stopped school bus commits a Class B misdemeanor. To the extent that the bill would allow a vehicle on the opposite side of a divided highway from a bus not to stop, fewer offenders may be convicted of the offense. As of October 1, 2002, there were 3,614 offenders cited for reckless driving. However, records do not indicate how many of these reckless drivers did not stop for a school bus. If fewer court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would decrease. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If a case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered is deposited in the state General Fund. If a case is filed in a city or town court, 55% of the fee is deposited in the state General Fund.

**Explanation of Local Expenditures:** If fewer convictions occur, local units would not incur incarceration costs. A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If fewer court actions occur and fewer guilty verdicts are entered, local governments would not receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106